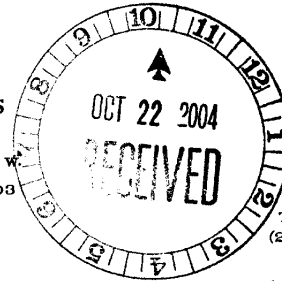


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October 22, 2004

212304

BY HAND DELIVERY

Honorable Vernon A. Williams  
Secretary  
Surface Transportation Board  
1925 K Street, N.W., Room 711  
Washington, D.C. 20423-0001

ENTERED  
Office of Proceedings  
OCT 22 2004  
Part of  
Public Record

Re: Finance Docket No. 34540, The Columbus & Ohio River  
Rail Road Company – Acquisition and Operation Exemption  
– Rail Lines of CSX Transportation, Inc. from Columbus to  
Newark, Ohio and from Mt. Vernon to Cambridge, Ohio

Dear Secretary Williams:

Enclosed for filing in the referenced docket please find an original and ten copies of the Supplemental Information Regarding Notice of Exemption filed by The Columbus & Ohio River Rail Road Company.

An additional copy of this filing also is enclosed. Kindly indicate receipt of the filing by time-stamping this extra copy and returning it to the bearer of this letter. Thank you for your consideration in this matter.

Sincerely,

Andrew B. Kolesar III  
An Attorney for The Columbus & Ohio  
River Rail Road Company

Enclosures

BEFORE THE  
SURFACE TRANSPORTATION BOARD



THE COLUMBUS & OHIO RIVER RAIL )  
ROAD COMPANY – ACQUISITION AND )  
OPERATION EXEMPTION – RAIL LINES )  
OF CSX TRANSPORTATION, INC. FROM )  
COLUMBUS TO NEWARK, OHIO )  
AND FROM MT. VERNON TO )  
CAMBRIDGE, OHIO )

Finance Docket No. 34540

212304

SUPPLEMENTAL INFORMATION REGARDING  
NOTICE OF EXEMPTION

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Public Record

THE COLUMBUS & OHIO RIVER  
RAIL ROAD COMPANY  
47849 Papermill Road  
Coshocton, Ohio 43812

OF COUNSEL:

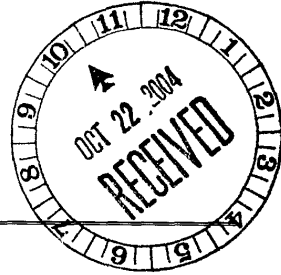
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By: Kelvin J. Dowd  
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Dated: October 22, 2004

Attorneys & Practitioners

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**



THE COLUMBUS & OHIO RIVER RAIL )  
ROAD COMPANY – ACQUISITION AND )  
OPERATION EXEMPTION – RAIL LINES )  
OF CSX TRANSPORTATION, INC. FROM )  
COLUMBUS TO NEWARK, OHIO )  
AND FROM MT. VERNON TO )  
CAMBRIDGE, OHIO )

Finance Docket No. 34540

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**SUPPLEMENTAL INFORMATION REGARDING  
NOTICE OF EXEMPTION**

On September 24, 2004, The Columbus & Ohio River Rail Road Company (“CUOH”), a Class III carrier, filed a Verified Notice of Exemption to permit CUOH to extend its existing lines through the acquisition by purchase and lease from CSX Transportation, Inc. (“CSXT”) of certain of CSXT’s lines of railroad in Ohio. As the result of ongoing discussions between the parties, the details of the transaction have changed in certain minor respects. The purpose of the instant filing is to advise the Board of those minor changes.

Specifically, CUOH hereby reports that:

- (1) The transaction now also includes CUOH’s acquisition by purchase of an additional 1.8 mile CSXT branch line in the City of Newark, Ohio extending from milepost BBW 0.0 to milepost BBW 1.8.

(2) The transaction now includes CUOH's acquisition by lease of an additional 5.14 mile CSXT branch line extending from milepost BPB 0.0 in Cambridge, Ohio to milepost BPB 5.14 in Byesville, Ohio.

(3) The end point of the CSXT line in Columbus, Ohio to be purchased by CUOH should be milepost BP 137 instead of BP 138, as previously had been reported.

(4) The total number of miles involved in the transaction is now 120.35 miles (including 38.2 miles to be purchased, and 82.15 miles to be leased) instead of a total of 114 miles, as previously had been reported.

By way of summary, the transaction therefore now includes the following line segments:

Acquisition by Purchase

Columbus (Milepost BP 137) to Newark, Ohio (Milepost BP 100.6)

Newark, Ohio (Milepost BBW 0.0 to Milepost BBW 1.8)

Acquisition by Lease

Cambridge (Milepost BP 49.49) to Newark, Ohio (Milepost BP 100.6)

Cambridge (Milepost BPB 0.0) to Byesville, Ohio (Milepost BPB 5.14)

Newark (Milepost BQ 0.0) to Mt. Vernon, Ohio (Milepost BQ 25.9)

Finally, a revised caption summary for this transaction is set forth as Exhibit

A hereto.

Respectfully submitted,

THE COLUMBUS & OHIO RIVER  
RAIL ROAD COMPANY  
47849 Papermill Road  
Coshocton, Ohio 43812

OF COUNSEL:

SLOVER & LOFTUS  
1224 17th Street, N.W.  
Washington, D.C. 20036

Dated: October 22, 2004

By: Kelvin J. Dowd  
Andrew B. Kolesar III  
Slover & Loftus  
1224 17th Street, N.W.  
Washington, D.C. 20036  
(202) 347-7170



Attorneys & Practitioners

Certificate of Service

I hereby certify that this 22nd day of October, 2004, I have caused a copy of the foregoing Reply to be served via first-class mail, postage prepaid, upon the following individuals:

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Andrew B. Kolesar III

**Finance Docket No. 34540**

**THE COLUMBUS & OHIO RIVER RAIL ROAD COMPANY  
– ACQUISITION AND OPERATION EXEMPTION –  
RAIL LINES OF CSX TRANSPORTATION, INC.  
FROM COLUMBUS TO NEWARK, OHIO AND FROM  
MT. VERNON TO CAMBRIDGE, OHIO**

The Columbus & Ohio River Rail Road Company (“CUOH”), a Class III rail carrier, has filed a Verified Notice of Exemption to permit CUOH to extend its existing lines through the acquisition by purchase and lease from CSX Transportation, Inc. (“CSXT”) of approximately 120.35 miles of CSXT’s lines of railroad in Ohio: (i) by purchase between Columbus (Milepost BP 137) and Newark, Ohio (Milepost BP 100.6), and between Mileposts BBW 0.0 and BBW 1.8 in Newark, Ohio; and (ii) by lease between Cambridge (Milepost BP 49.49) and Newark, Ohio (Milepost BP 100.6), between Cambridge (Milepost BPB 0.0) and Byesville, Ohio (Milepost BPB 5.14), and between Newark (Milepost BQ 0.0) and Mt. Vernon, Ohio (Milepost BQ 25.9). These lines are located in Franklin, Licking, Muskingum, Knox, and Guernsey Counties, Ohio. Following the transaction, CSXT no longer will operate trains on any of these line segments. The transaction also includes approximately 1.5 miles of incidental trackage rights assigned by CSXT to CUOH over the line of Ohio Southern Railroad, Inc. between Milepost 16.7 and Milepost 18.2 in Zanesville, Ohio. Comments must be filed with the Board and served on Andrew B. Kolesar III, Slover & Loftus, 1224 Seventeenth St., N.W., Washington, D.C. 20036 (202) 347-7170.

**Exhibit A**

Page 2 of 2

This Notice is filed under 49 C.F.R. Part 1150.41, et seq. If the Notice contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. § 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.